

**NANAIMO LADYSMITH PUBLIC SCHOOLS
BUSINESS COMMITTEE
PUBLIC MEETING
ACTION SHEET**

DATE: April 12, 2023
TO: Business Committee
FROM: Mark Walsh, Secretary-Treasurer
Pete Sabo, Executive Director Planning Operations
Kelsey, Bakewell, Manager, Facilities Planning
SUBJECT: Chase River Elementary School Waterworks Right-of-Way and Covenant Bylaw, 2023

Recommendation

The Business Committee recommends that the Board of Education of School District No. 68 (Nanaimo-Ladysmith) pass all three readings of the Bylaw, cited as "Chase River Elementary School Waterworks Right-of-Way and Covenant Bylaw, 2023" in one meeting, and that the Board of Education of School District No.68 (Nanaimo-Ladysmith) adopt the Bylaw cited as "Chase River Elementary School Waterworks Right-of-Way and Covenant Bylaw, 2023", during the April 26, 2023 Regular Board meeting.

Background

The City of Nanaimo has requested access to a portion of the Childcare at the Chase River Elementary site, located at 1503 Cranberry Avenue, for the purpose of checking and maintaining a new water meter.

A new water service was required as part of the construction and could not be accommodated on the roadway. The meter is located in a mechanical room inside of one of the new studios. This is not atypical and a number of Statutory Right of Ways (SRW) have been granted in the past.

Due to the meter located within a building, a blanket SRW was deemed the appropriate direction, and no survey was conducted.

Discussion

For the purposes of providing a new water service, a SRW is required for the City to access, maintain, and check a water meter. Legal counsel was consulted to review the terms of the SRW as provided by the City. Minor edits were made, and the resulting document meets the requirements of both parties.

Once the Bylaw has been passed by the Board, the Secretary-Treasurer can sign the SRW documents.

Appendix A: Chase River Elementary School Waterworks Right-of-Way and Covenant Bylaw, 2023

Appendix B: Chase River SRW Form C and Terms of Instrument

Appendix C: School Site Key Plan